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29

CHARTER AND BY-LAWS

OF THE

First Congregational Society

IN THE

CITY OF PROVIDENCE.

PROVIDENCE:
PRINTED FOR THE SOCIETY.
1866.

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INTRODUCTION.

THE Society, whose Charter and By-Laws are herewith printed, was formed about the year 1720. It comprised those persons, in the town of Providence and its vicinity, who held to the principles of Pede-Baptist Congregationalism. Though more than three-quarters of a century had elapsed since Roger Williams and his associates had been excommunicated from churches of the same faith, in the sister colony of Massachusetts, and had established a Church of their own in Rhode Island, the animosity that sprung up at that period between the old Church and the new, continued among their respective descendants with almost unabated vigor. It was not, therefore, without serious misgivings of an unwelcome reception by the rest of the community, that the few Congregationalists, who found themselves in this colony in 1720, undertook the formation of a religious society of their own faith. That any fear should have been entertained of sectarian intolerance from a people who owed their political existence chiefly to their maintenance of the doctrines of religious freedom, seems almost incredible, and yet that such fear existed, and with good reason, is beyond dispute.

In 1721 three Congregational clergymen in Massachusetts, wrote a letter to the leading men of the town of Providence, in which they endeavored to conciliate the inhabitants of the town towards the new society. This letter, and the reply to it, on behalf of the "inhabitants of the town of Providence,"

written by Rev. Jonathan Spreague — a Baptist minister — are printed at length in Judge Staples' "Annals of Providence." The Massachusetts clergymen, addressing many of the leading men of the town by their civil titles, begin and close their letter by invoking upon their correspondents the blessings of Heaven. They refer to the freedom and safety given to several of their brother ministers from Massachusetts and Connecticut, who had preached in Providence, by the people of that town, and earnestly request the people that, "if such preaching should be continued among them — designed only for the glory of God and Christ Jesus, in chief, and nextly for promoting the spiritual and eternal happiness of immortal souls," to continue their just protection.

The reply, written four months after, is very lengthy, and was evidently prepared with great care. Its purport, as well as the spirit of the people who sent it, and the embarrassments which this society met with in its early history, may all be inferred from the following extracts. After stating that the letter of the Massachusetts clergymen was read "in the hearing of the people," the writer says :

"In the first place, we take notice of the honorable titles you give to many of us. Your view, as we take it, is to insinuate yourselves into our affections, and to induce us to favor your request. But we find flatteries in matters of religion to be of dangerous consequence ; witness the Hivites, who said, "*we are your servants,*" &c.

After citing several scriptural authorities upon the danger of flattery, he says :

"Shall we praise you for this? We praise you not. Next. You salute all as saints in the faith and order of the Gospel, wishing all of us blessings for the time present and to all eternity. It is not the language of Canaan, but of Babel, to salute men of all characters as in the faith of the Gospel. This is the voice of the false prophets, which daub with untempered mortar," &c., &c.

The reverend writer had but little faith in his correspondents' admiration of the doctrine of liberty of conscience among his townsmen, and repudiated the supposition that it was owing to the

privileges granted by the Royal Charter. He attributed it to the absence of any law "which takes away men's estate by force, to maintain their own or any other ministry." After expressing the hope that what his correspondents say is not a flourish of compliments, he proceeds:

"This is but a preface to make room for your request, which is, *that we would be pleased, according to our power, to countenance, protect and encourage your ministers in their coming and preaching in this town of Providence.* To which we answer:—We admire at your request! or that you should imagine or surmise, that we should consent to either; inasmuch as we know, that (to witness for God) your ministers for the most part, were never set up by God, but have consecrated themselves, and have changed his ordinances; and for their greediness after filthy lucre, some you have put to death; others you have banished upon pain of death, others you barbarously scourged, others you have imprisoned, and seized upon their estates. * * * And all this is done to make room for your pretended ministers to live in idleness, pride, and fullness of bread. Shall we countenance such ministers for Christ's ministers? Nay, verily. These are not the marks of Christ's ministry, but are a papal spot that is abhorred by all pious protestants."

Notwithstanding the spirit which pervaded the community, the Society, in 1721, determined to erect a house for public worship. Judge Staples states that:

"Dr. Hoyle, one of the most active and efficient of their number, visited the neighboring colonies to solicit pecuniary aid, and he met with considerable success in his mission. On his return, and without the concurrence of his associates, he commenced erecting a house on a lot of land near the junction of Pawtuxet and High streets. So great was their dissatisfaction that the house was torn down, after it had been partially finished, and, as tradition says, in the night time."

In 1723, the Society erected their first house of worship, since known as the "Old Town House," on the southwest corner of College and Benefit streets. They worshipped in this building until 1795, when they erected an elegant edifice on the corner of Benefit and Benevolent streets,—the site of the present meeting-house. They sold the old house to the town the year previous.

The new house was begun August 19, 1794, Rev. Dr. Hitchcock pastor of the Society, delivering an address on the occasion, and was dedicated August 16, 1795. It was built of wood, eighty-seven by seventy-one feet on the ground, and had two beautiful towers. Caleb Ormsbee was the architect. On the 14th of June, 1814, the house was destroyed by fire.

The next day the Society met and commenced action respecting the erection of a "new Meeting House." The corner stone of the present edifice was laid on the 29th day of May, 1815. The ceremonies are described by Mr. John Howland, then and for many years the able and efficient clerk of the Society, as very imposing. The building was dedicated to the service of Almighty God, on Thursday the 31st day of October, 1816. It is built of granite, taken from a ledge in Johnston. The following are the dimensions of the building as originally built; eighty feet from east to west, seventy-seven feet from north to south; the height of the base is eight feet; the main walls thirty-four feet; tower thirty-nine feet ten inches; first octagon or balcony twenty-three feet; second octagon twenty-two feet six inches; attic six feet six inches; spire as originally built, to top of large ball fifty-four feet six inches; from ball to top of vane ten feet; pointers above vane two feet seven inches; whole height of steeple from the ground two hundred feet eleven inches. The great September gale of 1815 occurred while the house was building. The wind stripped the rafters of their boards and lodged many of them in George street, and some at a greater distance. In 1836, the steeple, having sustained some injury from a severe storm, was reduced in height eleven feet, making its present height from the ground one hundred eighty-nine feet eleven inches. John H. Greene was the architect of the building. In 1863 the house was thoroughly repaired, repainted and refurnished, at an expense of over twenty-two thousand dollars.

In October, 1840, the Society completed the erection of the present chapel, which cost about twenty-five hundred dollars.

The property of the Society consists of the Church edifice and Chapel, and the lot on which they stand; the Hitchcock

Fund; the Dorrance Fund; the Reynolds Estate,—at present subject to a life estate. The Society also own their Cemetery grounds,—five acres in Swan Point Cemetery,—to the improvement and adornment of which, the Society have a fund exclusively appropriated.

For the first five years after the organization of the Society, or until the year 1728, the pulpit was supplied by ministers of the neighboring associations in Massachusetts and eastern Connecticut. On the 4th day of March, 1728, the Rev. Josiah Cotton was ordained to the pastoral office and installed over the Society, being the first ordination of a Congregational minister in the colony of Rhode Island. The Church was formed on the same day, and consisted of nine persons. Mr. Cotton resigned in 1747, and was succeeded in 1752, by the Rev. John Bass, who remained until 1758, when he left the ministry. From that period until 1762, the Society seems to have been without a pastor. In 1762, Rev. David S. Rowland was settled over the Society. He resigned in 1774. In 1775, Rev. Dr. Lothrop, of Boston, officiated.

During the earlier years of the revolutionary war, the Society became very much scattered, and had no regular minister over it. In 1780, Rev. Enos Hitchcock commenced his services as pastor of the Society, and was duly installed in October, 1783. He remained pastor until his death, which occurred on the 27th day of February, 1803. Dr. Hitchcock bequeathed to the Society over six thousand dollars, as a fund, the income of which should forever be applied towards the support of the pastor. Rev. Henry Edes was the next minister. He was ordained on the 17th of July, 1805, and immediately entered upon the duties of his pastorate. He resigned his office, June 16th, 1832.

On the 14th day of November of the same year, Rev. Edward B. Hall was installed as pastor. In his letter accepting the call of the Society, he said: "If God spares my life and strength, they will be devoted to your interests." How literally that promise was fulfilled, the whole Society can bear witness.

He resigned his office on the 5th day of November, 1865, his resignation to take effect at the end of the year; but at the earnest request of the Society, consented to remain their pastor until the May following. He died on the 3d day of March, 1866, while still the pastor of a people whom he had ably and faithfully served for nearly thirty-five years, and who entertained for him the greatest respect and the warmest affection.

In 1743, several members of the Society, who had become very much excited in the great "Whitefield revival," suddenly discovered that their pastor (Rev. Mr. Cotton) was amenable to the charge of "not being evangelical enough." No change had been made in the Covenant of the Church, and none had been discovered in the preaching of their minister. Nevertheless, the light that had fallen upon their eyes enabled them to see in him "an opposer of the work of God's spirit, a preacher of *damnable good works* or doctrines, a hypocrite!" &c. They therefore seceded from his society, and assumed the name of SEPARATES. Subsequently they formed the society since known as the Beneficent Congregational Society.

Before the secession, this Society had been called the Congregational Society. Since then it has been known as the First Congregational Society.

During the pastorate of the Rev. Dr. Edes "in October, 1828, just a century from the formation of this church one of the deacons with fourteen members, associated with others in the formation of a new church and society in this city, called the Westminster Congregational Society. Their communication to those from whom they parted, was of the most friendly and christian character, and was promptly answered in the same brotherly spirit, with the offer on the part of this church, and the grateful acceptance by them, of a communion service."*

A law of the Colony, passed in 1716, prohibited any religious society from making permanent provision for the support of its ministry. It declared:

"That what maintenance or salary may be thought needful or necessary by any of the churches, congregations or societies of people, now inhabiting, or that hereafter may inhabit, with

* Rev. Dr. Hall's Historical Discourse in 1836.

any part of this government, for the support of their respective minister or ministers, shall be raised by free contribution, and no other ways."

The Society found great difficulty in raising by collections and occasional subscriptions, enough money to support their ministers, and this difficulty was at one period very much increased by the withdrawal from the Society of a number of its members, "on account of some religious scruples." These difficulties at last led, during the pastorate of the Rev. Mr. Rowland, to an attempt to raise a permanent fund for ministerial support. Several of the prominent members of the Society, among whom was Darius Sessions, then Governor of the Colony, interested themselves in the matter, and for the better accomplishment of their purpose, obtained, in October, 1770, an act incorporating themselves as the "Benevolent Congregational Society"—the main object of whose organization was to create a body of corporate trustees, to hold and manage any fund that might be raised for the support of the ministers of the First Congregational Society.

For more than half a century after the above-mentioned charter had been obtained, the First Congregational Society, consisting of those who habitually attended divine service in their house of worship, managed all their own prudential affairs, and directed their trustees,—the Benevolent Congregational Society,—to provide, from time to time, for the support of public worship, which the latter Society were enabled to do by means of a reservation of the right to levy a tax on the pews of the Society, contained in the deeds of the pews to their respective owners.

The Benevolent Congregational Society succeeded, from time to time, to several trusts from private individuals for the benefit of the First Congregational Society. Gradually the First Congregational Society devolved nearly all their business upon the other, and for the last twenty-five or thirty years the Benevolent Congregational Society had practically the whole direction of the affairs of both Societies.

The powers of the Benevolent Congregational Society under their charter, were of a very limited character, and by no means commensurate with the duties that had been imposed upon them. Repeated efforts were made at different intervals of time to re-organize the Society and place it upon a proper legal basis, but with no practical result. At a meeting of the Benevolent Congregational Society, in February, 1866, a committee consisting of Josiah Whitaker, Joseph Balch, Moses B. Lockwood, Wingate Hayes, and Benjamin N. Lapham, were appointed "to examine the charter of the corporation, and report what changes if any, are necessary to be made in the same," who reported in March following, accompanying their report with a draft of the present charter, which was passed by the General Assembly the same month, and which, together with the code of By-Laws herewith printed, was unanimously adopted by the Society.

Charter of the First Congregational Society

IN THE

CITY OF PROVIDENCE.

AN ACT TO INCORPORATE THE FIRST CONGREGATIONAL
SOCIETY IN THE CITY OF PROVIDENCE.

It is enacted by the General Assembly as follows :

SECTION 1. The Benevolent Congregational Society and the First Congregational Society, in the city of Providence, are hereby united and made one corporation, by the name of the "First Congregational Society in the City of Providence," for the public worship of Almighty God, and for the purpose of supporting and maintaining the Christian religion, according to the rites and usages heretofore observed by the religious Society worshipping at the meeting house of the said Benevolent Congregational Society, and for the purpose of taking proper care and maintenance of the burial grounds of said Societies ; and by that name shall have, hold, possess, retain and enjoy all rights, powers and privileges, and all property, real, personal and mixed, and rights of property heretofore had, held, possessed and enjoyed by the Societies hereby united, or by either of them ; and the said First Congregational Society hereby incorporated

shall succeed to, and shall execute and perform all the trusts heretofore imposed upon said Benevolent Congregational Society by virtue of any devise, bequest or conveyance, for the uses and purposes declared therein; and the legal title to all property so devised, bequeathed or conveyed in trust, is hereby vested in the said First Congregational Society hereby created, for the uses and purposes of such trusts; and as to all other property, real, personal or mixed, and rights of property held by the Societies hereby united, or by either of them, the same is hereby vested in the corporation hereby created, which shall have full power to hold, manage and dispose of the same as they shall deem advisable and necessary to carry into effect the purposes for which they are hereby incorporated; and no conveyance shall be required to be executed by said Benevolent Congregational Society, or by any other party, for the purpose of vesting in said corporation the legal title to any of the property heretofore and now held by said Societies so united, or by either of them. And said corporation shall have all the powers and privileges, and be subject to all the duties and liabilities set forth in chapter 125 of the Revised Statutes, and of any act in addition thereto or in amendment thereof; and shall also be subject to all the liabilities resting upon said Benevolent Congregational Society at the time this act shall go into effect, as hereinafter provided.

SEC. 2. The members of said corporation shall consist of the present members of the Benevolent Congregational Society, and such persons now or hereafter owning or hiring a pew or pews as shall, upon written application made by them to said corporation, (such persons having been duly propounded at a previous meeting thereof,) be voted into the same, by a majority vote of the members present at a regular quarterly or annual meeting of the corporation.

SEC. 3. Said corporation may, not oftener than once in five years, at a meeting thereof duly notified and the purpose of such meeting stated, either from the pulpit or by written notice to each member, make, by a two-thirds vote of the members pre-

sent at such meeting, and not otherwise, a valuation of all the pews in their meeting house, and may, at any meeting of the corporation, provision for the notice whereof shall be provided in the by-laws of the corporation, assess and levy a tax or taxes on the pews in ratable proportion to the fixed valuation thereof, whether sold or leased by said corporation; and may collect from the owners, lessees or hirers of such pew or pews all sums of money the corporation may vote to be necessary and requisite for the repairs, improvement and insurance of their meeting house, and the chapel connected therewith, for the enclosure and improvement of the burial grounds of the Society, and for all necessary and usual current expenditures in conducting, according to the rites and usages named in the first section of this act, public worship in said meeting house and chapel, and the exercises of the schools therein; and all votes by the corporation shall be taken by representation of pews, one pew entitling one person only to a vote. And in case a tax so assessed upon any pew or pews holden by individuals shall remain unpaid for the term of ninety days after such assessment shall become due and payable, (and demand being first made upon the owner or owners at his, her or their last usual place of abode,) the pew or pews on which the same are assessed and remain unpaid shall revert to the corporation, and vest in them, and shall be by them sold at public auction to the highest bidder, notice of such sale having been given, for the space of three weeks, by posting a notification thereof on the door of said meeting house, and in such other manner as the corporation shall determine; and the money arising from the sale of such pew or pews, after deducting the rates, taxes and sums due thereon, and the expenses that may arise on such sale, shall be paid over to the owner or owners of said pew or pews, his or their heirs and assigns, being the proprietor or proprietors of said pew or pews next preceding the sale thereof.

SEC. 4. This act shall go into effect whenever and as soon as the same shall have been accepted by a vote of the said Benevolent Congregational Society, at a meeting duly called

for the purpose, and by a majority vote of the First Congregational Society, meaning thereby a majority of the adults worshipping in the religious society of which the late Rev. Dr. E. B. Hall was pastor, present at a meeting of said Society duly notified and the purpose thereof stated from the pulpit of said Society.

SEC. 5. The first meeting of the corporation for organization shall be called by Josiah Whitaker, Isaac Brown and Joseph Balch, or either two of them, by causing notice thereof to be given from the pulpit of said Society.

SEC. 6. The act entitled "An act to incorporate certain persons by the name of the Benevolent Congregational Society in the town of Providence in this Colony," passed at the October session, 1770, is hereby repealed.

BY-LAWS.

OF MEETINGS.

ARTICLE 1. The annual meeting of the Society for the election of officers, shall be held in the Chapel on the first Tuesday in the month of October, at 7 1-2 o'clock, P. M.

ART. 2. Quarterly meetings shall be held in the Chapel on the first Tuesday in January, April and July, in each year, at 7 1-2 o'clock, P. M. In case the annual, or a quarterly meeting shall fall on a holiday, the same shall be held on the next succeeding day.

ART. 3. The annual and quarterly meetings of the Society, shall be notified from the pulpit of the Society, on the Sunday next preceding the same; and whenever the subject of assessment of taxes is to be considered, a special notice thereof shall be inserted in the notice of the meeting.

ART. 4. Special meetings may be called by the President whenever he shall deem it expedient, and shall be called by him, upon written request to him therefor, by not less than seven members of the Society; notice of which meetings shall be given from the pulpit, or by circular notices sent to each member of the Society by mail, or left at such member's usual place of abode.

ART. 5. Seven members of the Society, qualified to vote according to the provisions of the Charter, shall be necessary to constitute a quorum for the transaction of business, but a less number may adjourn from time to time.

ART. 6. All questions, except that relating to the appraisal of pews, arising at any meeting of the Society, shall be determined by a majority vote.

OF OFFICERS AND THEIR DUTIES.

ART. 7. The officers of the Society shall consist of a President, Vice-President, Treasurer, and Clerk; and of the following Standing Committees, consisting of three members each:

A Committee on Pastoral Relations and the Sunday School.

A Committee on Music.

A Committee on Finance.

A Committee on Buildings.

A Committee on the Cemetery and the Cemetery Fund.

A Committee on Trust Funds.

There shall also be an Executive Committee, consisting of the President and Vice-President of the Society for the time being, and the Chairman of the several Standing Committees.

ART. 8. The aforesaid officers shall be chosen at the first meeting of the Society, or at the first quarterly meeting thereof; and thereafter at the annual meeting of the Society, or at an adjourned meeting therefrom. Vacancies may be filled at any regularly called meeting of the Society. In case of a counter-nomination, the election of officers shall be by ballot.

ART. 9. It shall be the duty of the President to direct the call of all special meetings of the Society; to preside at all meetings, and to preserve order and decorum therein. He shall decide all questions of order, subject to an appeal to the meeting.

ART. 10. The Vice-President shall perform all the duties of the President in his absence.

ART. 11. The Treasurer shall have the custody of all the funds, moneys, deeds, policies of insurance, and evidences of value belonging to the Society, and shall keep the same in some safe and fire-proof place. He shall pay all bills owing by the Society, when duly audited, and shall draw the income and dividends arising from the bequests of the Rev. Dr. Hitchcock, and of Judge Dorrance, and apply the same, under the direction of the Committee on Trust Funds, towards the support of the Pastor. Whenever and as soon as the Society shall come into possession of the devise and bequest of the late Captain John Reynolds, the Treasurer shall apply the income therefrom, under the direction of the Executive Committee, to the purposes for which the same were given. He shall make and execute a deed of a lot or lots, in the Cemetery of the Society, to any member thereof, upon payment of such consideration as may be recommended by the Committee on the Cemetery and the Cemetery Fund. He shall keep accurate accounts of all moneys belonging to, and received and expended by the Society; and shall present, at the annual, and at each quarterly meeting, a true statement of the financial condition of the Society, and of all moneys received and disbursed by him for the last previous quarter. He shall keep a separate account of the Hitchcock, Dorrance, Reynolds, Cemetery, and all other trust or special funds of the Society; of all receipts and expenditures on account of the income thereof, and make report thereof at the annual meeting of the Society, or oftener if required.

ART. 12. The Clerk shall record the proceedings of all meetings of the Society, and shall keep all the records and papers of the Society, not required to be kept by the Treasurer, and in a suitable fire-proof place. He shall, under the direction of the President, call meetings of the Society, and perform such other duties as shall, from time to time, be properly imposed upon him.

ART. 13. It shall be the duty of the Committee on Pastoral Relations and the Sunday School, to confer with the Pastor in relation to the manner and times of the regular, and of the

special religious services in the church or chapel, and to decide thereon, subject to the action of the Society, and to have charge of the supply of the pulpit in case of the sickness or absence of the Pastor; to visit the Sunday School every week, and ascertain and provide for its wants; and whenever funds are needed to take measures for raising them; and at the annual meeting of the Society they shall present a written report on the condition of the school, with any suggestions respecting the same that they may deem proper.

ART. 14. It shall be the duty of the Committee on Music to employ the organist and choir, and, in connection with the Pastor, to have the general charge and direction of the choir services.

ART. 15. It shall be the duty of the Committee on Finance to consider and report upon all matters referred to them by the Society, relating to its financial condition; to examine from time to time the Treasurer's accounts, and to report in writing at the annual meeting of the Society, their opinion as to the amount of money that will be required for the ensuing year, stating the several purposes and the amount for each, and the proper rate of assessment on the pews. They shall examine and, if they approve, shall audit all bills payable by the Society, before the same shall be paid; provided, however, that the Treasurer shall pay quarterly, stated salaries, voted by the Society, or provided for by the Committee on Music, and the orders of the Committee on Pastoral Relations for the occasional supply of the Pulpit, without the same being audited by the Committee on Finance.

ART. 16. It shall be the duty of the Committee on Buildings to have the general care and charge of the buildings belonging to the Society, to see that the same are constantly insured in such sums as they shall deem necessary, or the Society shall order, that they are kept in good repair and that all needful precautions are taken to preserve them from damage by fire or otherwise. Neither the meeting house nor the chapel shall

be used on any occasion for purposes disconnected from the Society without special permission therefor by a vote of the Society.

ART. 17. It shall be the duty of the Committee on the Cemetery and the Cemetery Fund, to have the general charge and management of Cemetery grounds, to see that they are properly maintained, and ornamented; and that the income, or so much thereof as shall be necessary for the purpose, arising from the Cemetery fund, is properly appropriated; and that the rules and regulations, adopted by the Society, respecting the Cemetery and the Cemetery Fund are duly observed; and they shall determine the price to be paid for a lot or lots. They shall keep a record of their proceedings and shall make report in writing to the annual meeting, of the condition of the Cemetery and the state of the Cemetery fund, and of such other matters relating thereto as they shall deem advisable.

ART. 18. It shall be the duty of the Committee on Trust Funds to have the general care and management of all property, real and personal, belonging to the Society, which have been or shall be devised, bequeathed, given or granted for specific purposes. They shall see that such funds are properly invested, and applied according to the intent of the donors thereof; and they shall make report in writing, at the annual meeting of the Society, of the amount and condition of all such funds, and of the property held in trust by the Society, and of the income arising therefrom; if real estate, how the same is improved, and if personal property, how the same is invested, with such suggestions relating to the management of the same as they shall deem proper.

ART. 19. It shall be the duty of the Executive Committee to have a general oversight of the affairs of the Society; to take or recommend all needful measures to maintain its usefulness and prosperity; to have the charge of all the local charities of the Society, except the annual Thanksgiving collection, which shall be entrusted exclusively to the Pastor; and to investigate all plans for raising money for denominational purposes, and to

take such measures for carrying out the same as to them may seem proper; and they shall meet once a month, from the first of October to the first of June, and oftener if called together by the President or Vice President.

ART. 20. A majority of any Committee shall be a quorum for the transaction of business. A motion to refer to a standing committee shall have precedence of a motion to refer to a special committee.

OF THE TENURE OF MEMBERSHIP AND OF OFFICES.

ART. 21. Any member of the Society who shall habitually attend religious services in any other Society shall be deemed to have withdrawn from this Society, and shall, upon a vote of the Society to that effect, cease to be a member. The Society may expel by a two-thirds vote of the members present at an annual or regular quarterly meeting, any member for misconduct, provided such member shall have been notified, pursuant to a vote of the Society, for the space of three weeks, of the specific charges alleged against such member, and shall have had an opportunity to be heard before the Society thereon.

ART. 22. The President and Vice President shall be ineligible for re-election to those offices respectively for one year after having served therein respectively for two years.

ART. 23. The numerical position of each member of a standing committee shall be determined in the first instance, after the adoption of these By-Laws, by lot, unless otherwise agreed by the members of the committee; and thereafter, whenever a new member shall be placed upon the committee, his position thereon shall, unless he be elected to fill a vacancy, be the last. The person occupying the position of number one on the committee, shall be ineligible for a re-election thereto for one year.

RULES AND REGULATIONS FOR THE CEMETERY.

ART. 24. 1. No person shall be permitted to plant trees in the grounds, but may plant such shrubbery as they may choose, not encroaching on the avenues, paths or dividing lines of lots.

2. No person with horse or carriage, other than a hearse, or a cart to convey materials for erecting or repairing monuments, shall be permitted within the grounds; and no person shall permit rubbish or other obstructions to remain on his lot, or in the paths or avenues, more than twenty-four hours after any work on his lot is completed; and if any damage is done to an adjoining lot, it shall be repaired by the owner of the lot causing the same.

3. No fence shall be erected around any lot or lots in said grounds.

4. Any person not a member of this Society, or who, being a member, shall hereafter cease to be a member, and being an owner of one or more lots, shall keep the same in like good order with other portions of the ground.

5. Graves shall not be dug, nor stones set on any lot within two feet from the path or avenue fronting on said lot as defined on the plat; and no person shall encroach on the paths between the lots, nor on the two feet paths dividing the lots on opposite avenues.

6. Any person who may hereafter select a lot, shall forfeit all claim to the same unless he shall obtain from the Treasurer a deed thereof, within twenty days from the day of such choice; and no person shall be permitted to use any part of a lot he may have selected until he has a deed as aforesaid.

7. Any person who has used any part of a lot and who declines to take a deed thereof, is hereby debarred from any further use of the same unless permitted by the Committee.

8. Any sums that may be hereafter received from the sale of lots shall be faithfully appropriated by this Society as a permanent Cemetery fund to be invested in productive stock, and said stock shall be designated on the books of the Treasurer as the "Cemetery Fund," and the principal of said fund shall forever hereafter be kept entire and inviolate for the purpose aforesaid, but all dividends and revenue accruing thereon, shall forever

hereafter be applied to the preservation and ornamenting of said Cemetery by this Society through the Committee on the Cemetery and Cemetery Fund, acting under the Society's advice and direction, from time to time, and to no other object or purpose whatever.

OF AMENDMENTS AND ADDITIONS.

ART. 25. Any by-law may be amended or repealed, or a new by-law added hereto, by a vote of two-thirds of the members of the Society present at a regular annual or quarterly meeting, in the notice whereof the purpose of such amendment, repeal or addition shall be given, and not otherwise.









